

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SINGULAR COMPUTING LLC,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 1:21-cv-12110-FDS

Hon. F. Dennis Saylor IV

**PLAINTIFF'S RESPONSE TO GOOGLE'S MOTION TO DISMISS THE COMPLAINT
FOR FAILURE TO STATE A CLAIM UNDER FED. R. CIV. P. 12(B)(6)**

On February 11, 2022, Defendant, Google LLC (“Google”), filed a Rule 12(b)(6) motion to dismiss the complaint for failure to state a claim. Dkt. No. 15. Singular Computing LLC’s (“Singular” or “Plaintiff”) response to that motion is currently due today, March 11, 2022.

On March 10, 2022, pursuant to a Stipulation (Dkt. No. 44), Singular filed an Amended Complaint (Dkt. No. 45), containing amendments directed to the alleged issues Google had raised in its motion to dismiss. As Singular’s Amended Complaint supersedes the original Complaint in its entirety, the Amended Complaint moots Google’s motion to dismiss. *See Connectu LLC v. Zuckerberg*, 522 F.3d 82, 91 (1st Cir. 2008).

As Google’s motion to dismiss has been mooted, Singular is not filing a substantive response to it. Singular will respond to any renewed motion to dismiss in due course, on the schedule set forth in the Local Rules.

Dated: March 11, 2022

Respectfully submitted,

/s/ Paul J. Hayes

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ATTORNEYS FOR THE PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system.

/s/ Paul J. Hayes